



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

March 25, 2016

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

DOT-SP 16061
(SECOND REVISION)

EXPIRATION DATE: February 28, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Battery Solutions, LLC
Howell, MI
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of specifically designed packagings for the transportation in commerce of certain batteries without shipping papers, and certain marking and labeling when transported for recycling or disposal. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C, D and E of Part 172 in that shipping papers, marking and labeling are not required for batteries already excepted by §§ 172.102(c) Special Provision 130d., 173.185(c), and 173.185(d) in that batteries utilizing different chemistries (i.e., those battery chemistries specifically covered by another entry in the § 172.101 Table) as well as dry

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batteries may be combined with used or spent batteries in the same package and that alternative marking and documentation is authorized and alternative means of identifying any special procedures to be followed in the event a package is damaged is authorized, as provided herein.

5. BASIS: This special permit is based on the application of Battery Solutions, LLC dated November 29, 2015, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Lithium metal battery	9	UN3090	II
Lithium ion battery	9	UN3480	II
Lithium ion batteries packed with equipment or Lithium ion batteries contained in equipment	9	UN3481	II
Batteries, wet, nonspillable	8	UN2800	III
Batteries, dry, sealed, n.o.s.	See Special Provision 130		

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are UN specification fiberboard boxes (UN 4G/Y30) or UN specification drums (UN1H2/Y30) (smaller specification boxes or drums are also authorized) that are capable of withstanding a 1.2 meter drop test in any orientation -

- ° without damage to cells or batteries contained in the package;
- ° without shifting of the contents that would allow short circuiting; and
- ° without release of package contents.

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b. Each authorized package must be printed with instructions for complying with the requirements of this special permit.

c. Each package must be marked "Used Batteries for Recycling or disposal: May Contain Lithium (ion) and Nonspillable Batteries. FOR HIGHWAY OR VESSEL TRANSPORT ONLY - FORBIDDEN FOR TRANSPORTATION BY AIRCRAFT" at least 6mm (.25 inch) in height.

d. Each package must be marked with an emergency response telephone number accessible 24 hours per day in case of damage to the packaging or contents.

e. Each package must be marked with the special permit number as required by 49 CFR 172.301(c).

8. OPERATIONAL CONTROLS:

a. The grantee must provide each person who packages materials in packagings subject to this special permit detailed instructions on the requirements of the special permit and packaging batteries for transport. The instructions must be displayed where the packages are closed for transportation and must at a minimum communicate each requirement of paragraph 8.b. through 8.h. and 9.c. of this special permit.

b. This packaging is only authorized for battery disposal or recycling purposes.

c. Lithium metal batteries transported in this packaging are limited to 5 grams of lithium per battery. Lithium ion batteries are limited to 300 Watt-hours per battery. Non-spillable batteries are limited to 11 pounds or less gross weight each.

d. Lithium ion, lithium metal, nonspillable batteries and dry cell batteries (dry cell batteries with a marked rating over 9 volts) must be protected against short circuits. Some suitable methods of protection the batteries against short circuits include, but are not limited to, placing the batteries in individual plastic bags; or taping and covering the exposed terminals. The means of protection used to prevent short circuits must remain in place while the packages are in transportation.

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- e. Devices containing batteries must be protected against short circuits and unintentional activation.
- f. The gross weight of the package must not exceed 30 kg (66 pounds).
- g. Packages must be stored away from heat.
- h. Packages must be securely closed prior to being offered for transportation.
- i. When utilized as specified in these instructions, the completed package is excepted from the requirements of Subparts C, D and E of Part 172 (shipping papers, marking and labeling respectively).
- j. The testing requirements for lithium batteries under § 173.185(a)(1) are waived.

9. SPECIAL PROVISIONS:

- a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.
- b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may offer it for transportation provided it is offered for transportation in conformance with this special permit and the HMR.
- c. A person offering a package covered by this special permit to a motor carrier must notify the operator of the motor vehicle of the presence of hazardous materials and that in the event of damage, the emergency response number, and emergency procedures applicable to the motor carrier appear on the package.
- d. A current copy of this special permit must be accessible from each facility where the package is offered for transportation (computer generated is acceptable). In addition, a copy of the special permit must be available on the grantees website.
- e. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of

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the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

f. The grantee must keep on file and make available upon request annual reports from box inspections conducted at locations where batteries are consolidated and/or processed. These reports must include all noted non-compliance with the HMR and/or this special permit and actions taken to prevent recurring of such non-compliance.

g. A list of companies that have been provided these packagings must be maintained and made available upon request.

10. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle and Cargo Vessel. Cargo vessel is authorized only to and from Alaska, Hawaii, or any other territory or possession of the United States designated by the Secretary.
11. MODAL REQUIREMENTS: None, as a requirement of this special permit.
12. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

13. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Tarr:kah